

LYNCHBURG CITY COUNCIL  
Agenda Item Summary

MEETING DATE: <b>August 8, 2006, Work Session</b>		AGENDA ITEM NO.: 4
CONSENT:	REGULAR: <b>X</b>	CLOSED SESSION: (Confidential)
ACTION: <b>X</b>	INFORMATION:	
<u>ITEM TITLE:</u> <b>Zoning Ordinance Revisions</b>		

**RECOMMENDATION:** Provide staff guidance on a comprehensive revision to the City's Zoning Ordinance.

**SUMMARY:** The City of Lynchburg Zoning Ordinance was last comprehensively updated in 1978 after the 1976 annexation. The City's *Comprehensive Plan 2002 – 2020*, which was adopted in September 2002, recommends amending the Zoning Ordinance in order to ensure clarity, ease of interpretation, administration and effectiveness in promoting high quality development. There are two approaches the City can take in revising its Zoning Ordinance: 1) a comprehensive rewrite of the entire ordinance, or 2) an incremental approach. Currently the City's Planning Commission and City staff have been proceeding using the incremental approach. Sections of the Zoning Ordinance are being revised individually, such as the Sign Ordinance in 2004 and the Landscaping Ordinance in 2006. While this approach allows for an in-depth review of each section it prolongs the necessary revisions to the Zoning Ordinance.

The recent concern over the proposed Pedcor development on Timberlake Road has raised suggestions that the City should immediately embark on a comprehensive rewrite of the Zoning Ordinance. The experience in other localities indicates that such an effort may take two or more years to accomplish, would require additional staff and/or consultation from outside experts (both legal and planning), could cost over \$100,000, and may raise contentious issues of individual property rights versus the common good. If this effort is to be undertaken, it will be important to understand the shortcomings of the current ordinance and the goals of a revised ordinance. Of course, the ordinance should be consistent with the latest land use philosophy and goals as articulated in the Comprehensive Plan.

City Staff has compiled the following list of items that the City Council may wish to consider in its discussions concerning revisions to the Zoning Ordinance:

- The current Zoning Ordinance is not consistent with the Comprehensive Plan.
- The current ordinance promotes a suburban land use pattern rather than a denser urban pattern.
- Some of the uses in the ordinance are outdated and other modern uses are not mentioned. In a permissive ordinance, silence on desired uses is problematic.
- The current Zoning Map is not consistent with the Future Land Use Map.
- Length of time involved to rewrite the ordinance.
- Staffing constraints, additional staff and or consultant.
- Budget.
- Property rights and nonconforming uses.
- Pyramidal approach v. use approach.
- Mixed use v. segregation of uses.
- Affordable housing criteria.

- Promoting redevelopment.
- Encouraging reinvestment in the City's older neighborhoods.
- Encouraging growth and higher density with a limited amount of land resources.
- Other issues associated with the current Zoning Ordinance.
- Coordination of Zoning Ordinance revision with the upcoming Comprehensive Plan review.
- How cutting edge should a revised Zoning Ordinance be? Should it include the latest thinking in such areas as Form Based Codes, Transit Oriented Development, new urbanism, smart growth and sustainable development?

To be clear, staff believes that an effort to comprehensively update the Zoning Ordinance is appropriate and is ready to start.

PRIOR ACTION(S): N/A

FISCAL IMPACT: To be determined.

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ATTACHMENT(S): none

REVIEWED BY: lkp